IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

-

WRIT PETITION NO : 2979 of 2005

Between:

M. Karthar, S/o Bansilal,
Aged about 44 years,

Occupation:Assistant Manager,

Andhra Bank, Podili Branch,

Parakasam District, R/o 177/3, Old Ranga

Office, Main Road, Gandhari Post,
Village and Mandal, Nizamabad District.

..... PETITIONER

AND

1. The Collector and District Magistrate,

Nizamabad,

Nizamabad District.
2. The Chairman,

District Level Scrutiny Committee and

Joint Collector,
Nizamabad, Nizamabad District.
3. The Director of Tribal Welfare, A.P. Masab Tank, Hyderabad.
4. Andhra Bank, Saifabad, Hyderabad, rep. by its General

Manager, (Personnel).

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more in the nature of Writ of Certiorari, calling for the records, pertaining to the Proceedings No. C3/2843/2002, dated 6-2-2005 issued by the 1st respondent, cancelling the caste certificate issued to the petitioner and quash the same as illegal, arbitrary, unjust, contrary to law and unconstitutional, being violative of Principles of Natural Justice and declare the same as void abinitio, nulland void and *non est* in the eye of law, by holding that the enquiry conducted by the respondents 2 and 3 are not in accordance with rules 8 and 9 of the A.P.S.C. S.T. & B.C. -Issue of Community, Nativity and Date of Birth Certificate Rules, 1997 issued in G.O.Ms.No. 58, Social Welfare (J) Department, dated 12-5-97 (Published in A.P. SC , ST & BCs) Regulation of Issue of Community Certificates, Act, 1993 and Rules, 1997 and the Andhra Pradesh Commission for Backward Classes Act, 1993 with Rules 1993 and Regulations 1996) and consequently declare the caste certificate issued by the Tahsildar in Proceedings No. A4/1246/85, dated 18-3-1985 is legal and proper.

Counsel for the Petitioner: MR.T.SURYA KARAN REDDY

Counsel for the Respondent No.1 to 3: GP FOR SOCIAL WELFARE

Counsel for Respondent No.4:MR.N.RAM MOHAN RAO

The Court, at the stage of admission, made the following :

ORDER:

The counsel for the petitioner seeks leave of this Court to file an appeal before the appellate authority. Permission accorded.

The writ petition is dismissed as withdrawn leaving it open to the petitioner to avail all the remedies available under law.

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07-03-2005.

NOTE:

Cc today.

B/o Lrkm.

To

1. The Collector and District Magistrate,

Nizamabad,

Nizamabad District.
2. The Chairman,

District Level Scrutiny Committee and

Joint Collector,
Nizamabad, Nizamabad District.
3. The Director of Tribal Welfare, A.P. Masab Tank, Hyderabad.
4. The General Manager, (Personnel). Andhra Bank, Saifabad,

Hyderabad,

5. 2 ccs to the Government Pleader for Social Welfare, High

Court Buildings, Hyderabad. (O.U.T).

6. 2 CD copies.

*Form-NIC-OGS/WP{**AVLR**}*